

In the Claims:

Kindly Add Claim 30 as follows:

~~29~~ 30. An apparatus for automatically processing at least one development negotiation between first and second users who are communicating over a network to each other negotiation terms that include a plurality of variables, comprising:

a dynamic contracts manager for supplying an initial set of terms for use by a user, the terms specifying an item to be developed; and

BH ~~29~~ ³⁰ negotiations software configured to process such a negotiation by:
Mer responding to and recognizing the first and second users as

negotiators,

designating one of the users as a deciding entity;

receiving a negotiation term from one of the users;

analyzing the negotiation term to understand its purpose;

formatting the negotiation term according to the understood purpose;

placing the formatted negotiation term into a context supplied by at

least one of the users;

indicating a detected change in a negotiation term to at least one of the

users;

sending the negotiation term to one of the users;

storing the negotiation term; and

repeating the above processing until a signal is received from the deciding entity to stop negotiations.

Kindly add Claim 31 as follows:

~~30~~ 31. The apparatus of Claim ~~30~~, wherein the item to be developed comprises a product.

Kindly add Claim 32 as follows:

~~30~~ 32. The apparatus of Claim ~~30~~, wherein the item to be developed comprises a service.

Kindly add Claim 33 as follows:

~~30~~ 33. The apparatus of Claim ~~30~~, wherein the dynamic contracts manager further comprises a viewer for displaying aspects of the item as the item's development is being negotiated and performed.

Kindly add Claim 34 as follows:

~~30~~ 34. The apparatus of Claim ~~30~~, wherein the dynamic contracts manager further comprises a multimedia transmittal function for transmitting an item capable of being transmitted in electronic form as the item's development is being negotiated and performed.

Kindly add Claim 35 as follows:

B9 ³⁴ 35. The apparatus of Claim ~~35~~³⁴, wherein the dynamic contracts manager further comprises an active template for supplying at least some of the initial terms.

Kindly add Claim 36 as follows:

B10 ³⁵ 36. The apparatus of Claim ~~36~~³⁵, wherein the active template further comprises predefined formats for designated terms.

Kindly add Claim 37 as follows:

B11 ³⁶ 37. The apparatus of Claim ~~37~~³⁶, wherein the predefined formats further comprise functions for activating computer programs.

Kindly add Claim 38 as follows:

B12 ³⁷ 38. The apparatus of Claim ~~38~~³⁷, wherein the computer programs further comprise computer programs for importing and exporting data.

Kindly add Claim 39 as follows:

B13 ³⁸ 39. The apparatus of Claim ~~39~~³⁸, wherein the computer programs further comprise programming tools for generating application programs.

Kindly add Claim 40 as follows:

B14 39/40. The apparatus of Claim ~~37~~³⁶, wherein the computer programs further comprise programming tools for automating product design and development.

Kindly add Claim 41 as follows:

Claim 36 (upon allowance)

B15 40/41. The apparatus of Claim ~~41~~³⁶, wherein the computer programs further comprise computer programs for tracking and analyzing costs and performance data.

Kindly add Claim 42 as follows:

B16 41/42. The apparatus of Claim ~~36~~³⁵, wherein the predefined formats further comprise documentation formats to be used during negotiation and development.

Kindly add Claim 42 as follows:

B17 42/43. The apparatus of Claim ~~36~~³²⁹, wherein the dynamic contracts manager further comprises an access control system for limiting the number of users allowed to participate in the negotiation of the terms specifying the item to be developed.

Kindly add Claim 44 as follows:

43 ~~44~~ B18 A method for automatically processing at least one development negotiation between first and second users who are communicating over a network to each other negotiation terms that include a plurality of variables, comprising the steps of:

- supplying, through a dynamic contracts manager, an initial set of terms for use by a user, the terms specifying an item to be developed;
- responding to and recognizing the first and second users as negotiators;
- designating one of the users as a deciding entity;
- receiving a negotiation term from one of the users;
- analyzing the negotiation term to understand its purpose;
- formatting the negotiation term according to the understood purpose;
- placing the formatted negotiation term into a context supplied by at least one of the users;
- indicating a detected change in a negotiation term to at least one of the users;
- sending the negotiation term to one of the users;
- storing the negotiation term; and

repeating the above steps until a signal is received from the deciding entity to stop negotiations.

Kindly add Claim 45 as follows:

B19 444/ 46. The method of Claim 44, wherein the step of specifying an item to be developed further comprises the step of specifying a product.

Kindly add Claim 46 as follows:

B20 45/ 46. The method of Claim 44, wherein the step of specifying an item to be developed further comprises the step of specifying a service.

Kindly add Claim 47 as follows:

B21 46/ 47. The method of Claim 44, wherein the step of supplying terms further comprises the step of displaying, through use of a viewer, aspects of the item as the item's development is being negotiated and performed.

Kindly add Claim 48 as follows:

B22 47/ 48. The method of Claim 44, wherein the step of supplying terms further comprises the step of transmitting an item capable of being transmitted in electronic form, using a multimedia transmittal mechanism, as the item's development is being negotiated and performed.

Kindly add Claim 49 as follows:

B23 48/ 49. The method of Claim 44, wherein the step of supplying terms further comprises the step of using an active template for supplying at least some of the initial terms.

☐ Kindly add Claim 50 as follows:

B24 49/ 50. The method of Claim 49, wherein the step of using an active template further comprises the step of using predefined formats for designated terms.

☐ Kindly add Claim 51 as follows:

B25 50/ 51. The method of Claim 50, wherein the step of using predefined formats further comprises the step of activating computer programs through functions in the predefined formats.

☐ Kindly add Claim 52 as follows:

B26 51/ 52. The method of Claim 51, wherein the step of activating computer programs further comprises the step of activating computer programs for importing and exporting data.

☐ Kindly add Claim 53 as follows:

B27 52/ 53. The method of Claim 52, wherein the step of activating computer programs further comprises the step of activating computer programs for generating application programs.

☐ Kindly add Claim 54 as follows:

53 54. The method of Claim ⁵⁰51, wherein the step of activating computer programs
B28 further comprises the step of activating programming tools for automating product
design and development.

Kindly add claim 55 as follows:

54 55. The method of Claim ⁵⁰51, wherein the step of activating computer programs
B29 further comprises the step of activating computer programs for tracking and
analyzing costs and performance data.

Kindly add Claim 56 as follows:

55 56. The method of Claim ⁴⁹50, wherein the step of using predefined formats further
B30 comprises the step of specifying documentation formats to be used during
negotiation and development.

Kindly add Claim 57 as follows:

56 57. The method of Claim ⁴³44, wherein the step of supplying terms further comprises
B31 the step of limiting, through use of an access control system, the number of users
allowed to participate in the negotiation of the terms specifying the item to be
developed.

Version of amendments showing changes made:

In the specification, page 1, lines 4-8 were:

~~William Flanagan~~

~~Jeffrey Conklin~~

~~David Foucher~~

~~and~~

~~Daniel Foucher~~

and have been changed to:

Jeffrey Conklin,

William Flanagan,

David Foucher,

and

Daniel Foucher

On page 1, the continuing data paragraph has been changed as follows:

This is a continuation in part of co-pending applications: Application- Serial No.

09/192,735, entitled "System for Iterative, Multivariate Negotiations Over a

Network" filed 11/16/98, now US Patent No. 6,141,653; Application Serial No.

09/192,729, entitled "System and Method for Providing and Updating User Supplied

Context for a Negotiations System" filed 11/16/98, now US Patent No. 6,338,050; Application Serial No. 09/192,979, entitled "System and Method for Representing Data and Providing Electronic Non-Repudiation in a Negotiations System" filed 11/16/98, now US Patent No. 6,336,105; and Application Serial No. 09/192,848, entitled "System and Method for Ordering Sample Quantities Over a Network" filed 11/16/98, now US Patent No. 6,332,135.

On page 45, the paragraph at line 15 has been changed as follows:

Figures 15c-1 through ~~15c-3~~ 15c-2 are block diagrams showing a proposed letter of credit using the present invention.

Remarks:

Claims 2-29 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Applicants' related issued and co-pending applications.

Claims 30-57 have been added.

The Specification was objected to because a reference was made to Fig. 15C-3 which does not exist. The Specification was also objected to because the continuing data on Page 1 did not include the present status of each parent case.

Applicants' attorney has filed a disclaimer herewith to overcome the judicially created obviousness double patenting rejection and believes this places Claims 2-89 in condition for allowance. The Specification has been amended to reorder the names of the inventors and to update the continuing data to include the present status of each parent case. Applicants respectfully submit that the erroneous reference to Figure 15c-3 occurs on Page 45, not Page 38 and have amended it accordingly.

Applicants respectfully submit that the above bases for objection and rejection have been overcome and that Claims 2-57 are in condition for allowance. Reconsideration

Attorney Docket Number ET00-007CIP

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of all the claims is requested. Allowance of Claims 2-57 at an early date is solicited.

Applicants' Attorney respectfully requests that if she can be of any further assistance in putting all the claims in condition for allowance that she be reached by telephone at 508-653-8143 in order to discuss the application with the Examiner, so that any new objections or rejections may be addressed.

Date: June 3, 2003

Respectfully Submitted,



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